IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 1410 of 2001

Between:

1. K.Ramachandraiah S/o. Veeraswamy
   R/o. Kukkumbakam, B.N.Kandriga Mandal, Chittoor District.
2 V.Subrahmanyam S/o. Subbaramaiah
   R/o. Kukkumbakam Village & Post, B.N.Kandriga Mandal,

Chittoor District.
3 M.Ramanaiah S/o. Polaiah
   R/o. Kukkumbakam Village, B.N.Kandriga Mandal, Chittoor District.
4 V.Subrahmanyam S/o. Venkata Subbaiah
   R/o. Kukkumbakam Village, B.N.Kandriga Mandal, Chittoor District.
5 V.Thirupalaiah S/o. Venkata Subbaiah
   R/o. Kukkumbakam Village, B.N.Kandriga Mandal, Chittoor District.
   (Petitioner Nos.1 to 5 are Members of the 4th Respondents Society)

..... PETITIONERS

AND

1 The District Collector, Chittoor.
2 The Registrar and Joint Director (AH), Chittoor.
3 The Assistant Director (AH), Chittoor.
4 The Election Officer,

Sri Jaya Krishna Sheep Breeders Co-operative Society Ltd.,
Kukkumbakam (Veterinary Asst. Surgeon), B.N.Kandriga Mandal,
Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in conducting the elections to the Managing Committee of Sri Jaya Krishna Sheep Breeders Co-operative Society Ltd., Kukkumbakam B.N.Kandriga Mandal, Chittoor District on 31.1.2001 without following the procedure contemplated U/Rule 22-B of A.P. Co.operative Societies Rules 1964 and without publishing the election notification as illegal, arbitrary and violative of the provisions of A.P. Co-operative Societies Act and the Rules made thereunder particularly Rule 22-B and consequently direct the respondents to conduct the elections to Sri Jaya Krishna Sheep Breeders Co-operative Society Ltd., Kukkambakam, B.N.Kandriga Mandal, Chittoor District after following the due

procedure contemplated U/R 22-B of the A.P. Co-operative Societies Rules 1964.

Counsel for the Petitioners:MR.V.SUDHAKAR REDDY

Counsel for the Respondent Nos.1 to 4: GP FOR COOPERATION

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.1410 OF 2001

ORDER:

The petitioners are residents of Kukkumbakam Village, B.N.Kandriga Mandal, Chittoor District. They are also members of Sri Jaya Krishna Sheep Breeders Cooperative Society Limited. When the elections were announced to be scheduled on 31.1.2001 alleging that elections are being held without following procedure contemplated under Rule 22-B of the A.P. Cooperative Societies Rules, 1964 (for short, the Rules), present Writ Petition is filed.

This Court while admitting the Writ Petition stayed elections on 31.1.2001. In that view of the matter, the relief prayed has become infructuous. It is made clear, if the fourth respondent wants to conduct elections, the procedure contemplated under Rule 22-B of the Rules has to be followed afresh.

The Writ Petition, with the above observation, is dismissed as infructuous. No costs.

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(V.V.S.RAO, J)

22.7.2005

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To

1 The District Collector, Chittoor.
2 The Registrar and Joint Director (AH), Chittoor.
3 The Assistant Director (AH), Chittoor.
4 The Election Officer,

Sri Jaya Krishna Sheep Breeders Co-operative Society Ltd.,
Kukkumbakam (Veterinary Asst. Surgeon), B.N.Kandriga Mandal,
Chittoor District.

5 2 CCs to G.P.for Cooperation, High Court Bldgs., Hyderabad (OUT)

6 2 CD copies